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SUBJECT: JORDAN: 2003 ANNUAL TERRORISM REPORT

REF: SECSTATE 301352

[1](#)1. Answers keyed to reftel.

A) (U) Significant actions taken by host governments to support the global coalition against terrorism.

The GOJ continues to provide strong support for the global coalition against terrorism and has responded positively to U.S. requests for assistance. For example, within the limits of its penal code and bank secrecy laws, the GOJ on multiple occasions has searched bank records in Jordan for assets of suspected terrorists and charitable organizations with alleged links to terrorism in support of the global effort to dismantle terrorist financing networks.

B) (U) Describe the response of the judicial system to acts of international and/or terrorism.

The Jordanian penal code provides the judicial branch with many legal tools to pursue and convict suspected terrorists. In 2003, the GOJ prosecuted several terrorism-related cases, including some involving weapons smuggling and border infiltration attempts, some of which carried over from 2002. Several are still ongoing as of this writing, and probably will not be concluded before the end of the year. Significant developments include:

-- Foley Assassination Trial Begins:

Jordan's military prosecutor on May 11 indicted 11 individuals -- including six in absentia -- who are accused in the October 2002 assassination of USAID official Laurence Foley. The five suspects currently in Jordanian custody, including alleged triggerman Libyan national Salem Bin Suweid, proclaimed their innocence before the State Security Court, claiming in October that Jordanian security officials had tortured them to elicit earlier confessions to the crime. Among the six at large is al-Qa'ida operative and Jordanian national Ahmad Fadil Nazzal al-Khalayleh (aka Abu Musab al-Zarqawi). On November 11, the Court indefinitely postponed the case pending the appearance of Bin Suweid's wife before the court as a defense witness.

-- Plotters Against Americans in Amman Acquitted:

The State Security court on January 22 acquitted 10 men accused of conspiring to carry out attacks against Americans in the Abdoun area of Amman, where the U.S. embassy is located, citing a lack of evidence. It did, however, convict eight of the men for illegal weapons possession, sentencing them to one year in prison.

-- Members of "Mafrq Cell" Indicted:

The State Security Court is hearing the case of 13 men who are accused of plotting attacks against U.S. and Jordanian targets, including the U.S. embassy in Amman. The group includes three Saudis being tried in absentia. Jordanian authorities arrested the ten in the eastern town of Mafrq in December 2002. During an October court appearance, one suspect confessed to plotting attacks against U.S. interests, but the rest continue to proclaim their innocence. The most prominent defendant is Ahmad al-Shalabi (aka Abu Sayyaf), a Jordanian extremist from the southern town of Ma'an, who appeared in court following his arrest on September 27. Until his capture, Abu Sayyaf was on Jordan's "most wanted" list for his role in inciting violence in November 2002 that led to the death of several people in Ma'an, including two police officers.

-- Retrial of Jordanian-American citizen Ra'ed Hijazi:

The State Security Court on October 13 postponed indefinitely the case of Jordanian American citizen and suspected al-Qa'ida operative Ra'ed Hijazi, who is being retried for his role in the 1999 plot to conduct terrorist acts during the millennial celebrations in Jordan. The court adjourned in order to respond to Court of Cassation concerns about improper court procedures in his earlier trial and to prepare a final verdict in the matter.

-- Ansar al-Islam Cell on Trial:

The State Security Court on September 13 formally charged 13 Jordanians and two Iraqis affiliated with the Iraq-based Ansar al-Islam and al-Qai'da with conspiring to carry out terrorist attacks against tourists, foreigners and members of Jordan's security forces in Jordan. The Court in October referred one of the plotters, Mahmoud al-Riyati, who was arrested in northern Iraq in March, to a mental institute for evaluation. The group allegedly received weapons and explosives training in Afghanistan and Iran. Fugitives being tried in absentia include Abu Mus'ab al-Zarqawi and reported Ansar al-Islam spiritual leader Najm al-Din Faraj Ahmad (aka Mullah Krekar), who currently is in Norway fighting expulsion. Norwegian judicial authorities on November 24 rejected a Jordanian extradition request for Krekar on drug charges but are exploring options to expel him for violating terms of his refugee status (see para C).

-- Jordanians Execute Diplomat's Assassin:

Jordanian authorities on August 26 hanged a second man, Jamal Fatayer, for his role in the 1994 assassination of Jordanian diplomat Na'eb al-Ma'ayteh in Beirut. One of his accomplices, Yasser Abu Shinnar was executed on December 4, 2002 for the crime. The Court of Cassation had upheld earlier State Security Court verdicts against both men, who carried out the attack on behalf of the radical Palestinian faction Abu Nidal Organization. Three other accomplices, including ANO leader Sabri al-Banna, were sentenced to death in absentia for al-Ma'ayteh's murder. Iraqi authorities found al-Banna dead in his Baghdad apartment in August 2002, claiming he had committed suicide.

-- Three Sentenced to Death for Car Bomb Against GID Official:

The Court of Cassation on October 1 affirmed the State Security Court's April 29 conviction and death sentence of three men (two in absentia) for bombing the car of a senior Jordanian counterterrorism official in Amman in February 2002. The intended victim escaped unharmed, but the bomb killed two passersby. The court sentenced four others to terms ranging from one year with hard labor to life in prison.

-- Court Upholds Verdict Against al-Khalaya (Cells) Organization:

The Court of Cassation on January 21 upheld the July 2002 State Security Court verdict sentencing six men each to 15 years of hard labor for plotting to carrying out terrorist attacks against U.S. and other Western targets in Jordan in Jordan.

-- Retrial of "Reform and Challenge" Organization Members:

The State Security Court on September 30 began the re-trial of six individuals accused of subversive acts in 1998 after the Court of Cassation revoked rulings in the case for the third time in August. The six, in addition to three others tried in absentia, are accused of carrying out a series of primitive bombings that damaged some cars but caused no casualties.

C) (U) Did the host government extradite or request the extradition of suspected terrorists for prosecution during the year?

Jordanian authorities in January requested that Norway extradite Najm al-Din Faraj Ahmad (aka Mullah Krekar), the suspected spiritual leader of the Iraq-based extremist group Ansar al-Islam, on drug charges. The Jordanians have since charged Krekar in absentia with involvement in a terrorist plot (see above). However, judicial authorities in Oslo on November 24 rejected Jordan's request, saying that the documentation provided was not sufficient to support his extradition.

D) (U) Describe any significant impediments to host government prosecution and/or extradition of suspected terrorists.

There are no legal or administrative impediments to the prosecution of terrorist cases in Jordan. However, there are some legal and constitutional impediments to extraditing to the U.S. Jordanian citizens who may be suspected terrorists. Most extraditions have been put on hold following a 1997 Jordanian court ruling that Jordan's bilateral extradition treaty with the U.S. is invalid until ratified by parliament. The two and a half year absence of a sitting Parliament, and two government changes since new parliamentary elections in June 2003, have prevented the GOJ from submitting the treaty to parliament for consideration.

On certain occasions, the political situation has made it difficult for the GOJ to follow through on certain terrorism-related requests. For example, the Jordanian Central Bank on September 16 rescinded an instruction to

commercial banks to freeze bank accounts of HAMAS-connected individuals and entities in Jordan, even though it claims there are no such funds in Jordan. The Central Bank retracted its decision in the face of harsh criticism from a strongly pro-Palestinian public and parliament, despite the GOJ's open crackdown on HAMAS in 1999. Jordanians generally distinguish between the "humanitarian" and "military" activities of HAMAS in light of the group's extensive social infrastructure in the West Bank and Gaza Strip.

E) (U) Discuss host government responses other than prosecution.

GOJ officials have consistently and publicly condemned both international and domestic terrorist acts, including bombings in Saudi Arabia, Turkey, and Iraq in 2003. Jordan has remained committed to the global coalition despite attacks targeting its interests outside Jordan during the year. For example, bombers attacked Jordan's embassy in Baghdad on August 7, and anonymous assailants opened fire on Jordan's mission in Baghdad again on November 20, killing an Iraqi police officer. Eight Jordanian citizens were wounded in the bombing of a residential complex in Riyadh, Saudi Arabia on November 9, including twin five-year olds. Inside Jordan, security authorities were quick to respond to terrorist incidents and provide information to the public. For example, GOJ spokesperson Asma Khader immediately condemned the shooting death on November 19 of a South American tourist and wounding of four others by a Jordanian trucker at the southern Jordanian-Israeli border crossing, noting the man acted randomly and alone.

The U.S. maintains an extremely close and productive working relationship on a wide range of counterterrorism and related security and military fronts. The GOJ has been highly responsive to the security needs of U.S. citizens in Jordan. During times of tension, such as during the war in Iraq and in the aftermath of attacks in Saudi Arabia and Turkey during Ramadan, the GOJ increased security around the embassy perimeter and in areas where Americans frequent, including hotels and tourist sites.

The GOJ also is working to combat terrorist support activities, including arms smuggling, by enhancing security measures at Jordan's long borders with Saudi Arabia, Iraq, Syria, the West Bank, and Israel. Jordanian authorities over the year intercepted several would-be infiltrators and smuggled weapons destined for the West Bank and/or Israel.

F) (U) Describe major counterterrorism efforts undertaken in 2003 by the host government, including steps taken in international fora.

Jordan on August 28 ratified the UN International Convention for the Suppression of the Financing of Terrorism. Jordan also is expected to accede in the near future to two International Maritime Organization counterterrorism conventions.

G) (U) Describe any significant host government support for international terrorism, terrorists, or terrorist groups.

None.

H) (U) Has the host government made any public statements in support of a terrorist-supporting country on a terrorism issue?

No.

I. (U) Describe any significant change since 2002 in the host government's attitude towards terrorism.

There has been no change in the GOJ's strong commitment to the coalition against terrorism or to its own domestic counterterrorism program.

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